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EXAMINER

ENG, DAVID Y

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



### **DETAILED ACTION**

Claim 2 has been cancelled previously. The active claims are 1 and 3-48.

#### **Specification**

It is acknowledged that Applicants decline to provide a summary of the invention. Applicants are advised that in the event the application is matured to a patent, the patent would be without a summary of the invention.

#### ***Claim Rejections - 35 USC § 112, 2<sup>nd</sup> paragraph***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-48 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claims 7-9, 18-19, 21, 31-33, 42-43 and 45, scope of limitation of the claims is not clear. Applicants are requested to identify the support in the specification and drawings.

Further with respect to claims 1-48, the method steps are disclosed as being performed by a human being. However, the claims recited that they are performed automatically by a computer.

The term "automatic or automatically" is vague and indefinite. It is not clear what it means. Does it mean without human input or interaction?

## **Response**

In the communication filed on 1/28/2008, Applicants admit that their method steps recited in the claims are user input/interaction performed by a user (page 12 third last line to page 13, line 1). It is not understood why Applicants amend the claims to recite that those human steps are performed by a computer. As shown in Applicants' Figure 4, those steps are clearly performed by a user, a human being. Applicants are advised that steps performed by a human being are not patentable.

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 1 and 3-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris (USP 7,028,075) in view of Meyerzon (USP 6,199,081).

Details of the rejections have already been set forth in the last Office action. The details are incorporated herein by reference thereto.

## **Response**

In the communication filed on 1/228/2008, Applicants agree with the Examiner that that Morris teaches HTML electronic messages (the last 2 lines in the second paragraph of page 15). Applicants further agree with the Examiner that Meyerzon teaches HTML documents include metadata and metatag. Applicants contended that "at no point in either Morris or Meyerzon is there provided a context for a message or document. The argument is not understood. There is no such limitation in any of the

claims. As explained in the last Office action, Meyerzon gives examples of metatags such as "author" and "language". The semantic qualifier or metadata tag "author" therefore is associated with names of persons who publish articles or books and semantic qualifier or metadata tag "language" is associated with languages such as English or Spanish in a HTML document as taught by Meyerzon. This is consistent with Applicants' disclosure. In the last sentence of Applicants' page 14 and Figure 6a, metadata tag or semantic qualifier "patient" is embedded next to a name "Bob Jones" in a HTML document shown in Figure 6a.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID Y. ENG whose telephone number is 571-272-3984. The examiner can normally be reached on M-F from 8AM to 3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, SALEH NAJJAR, can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/DAVID Y. ENG/

Primary Examiner, Art Unit 2155